

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6952

BILL NUMBER: HB 1287

NOTE PREPARED: Mar 4, 2003

BILL AMENDED: Feb 26, 2003

SUBJECT: Geologist Licensing.

FIRST AUTHOR: Rep. Orentlicher

FIRST SPONSOR: Sen. Server

BILL STATUS: As Passed - House

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill creates a license for a geologist in training. The bill also changes the definition of "geologist" in the geologist licensing statute and allows geologists to form professional corporations.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: This bill creates a geologist in training (GIT) license under the Board of Licensure for Professional Geologists. The Board is free standing and the licenses it issues are self supporting, as will be the GIT license. It is expected that the Board will charge between \$15 and \$20 for a GIT license, which will be renewed every three years at the same price. It is also estimated that less than 50 individuals will seek a GIT license annually, and those individuals generally take 4 to 5 years to obtain a professional geologist license. Currently, the Board charges an application fee of \$70 and a renewal fee of \$90 every three years for a professional geologist license.

The bill would make it a violation to falsely represent oneself as a licensed geologist in training. The penalty is a Class B misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

This bill also provides that one or more geologist professionals may form a professional corporation to render services that may legally be performed only by a geological professional. The Secretary of State requires that an articles of incorporation document be filed for each for-profit corporation established in Indiana. The document processing fee is \$90. Corporations are also required to file biennial reports (\$30 fee). The above provision may increase fee revenue, which is deposited in the State General Fund.

Explanation of Local Expenditures: *Penalty Provision* - A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision* - If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Secretary of State.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Amanda Wilson, Board of Licensure for Professional Geologists, (812) 855-7636; Secretary of State.

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